

**AN ORDINANCE BY  
COUNCILMEMBER ANNE FAUVER  
AS SUBSTITUTED BY TRANSPORTATION COMMITTEE**

**AN ORDINANCE TO AMEND SECTION 138-84 OF THE CODE OF ORDINANCES ENTITLED TRAFFIC CALMING DEVICES – INSTALLATION, SO AS TO INCLUDE DEFINITIONS OF NEW TERMS WHERE APPLICABLE; TO PROVIDE FOR NEIGHBORHOOD PETITIONING FOR THE INSTALLATION OF TRAFFIC CALMING DEVICES; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta currently accepts requests for the installation of traffic calming devices that normally occur on specific street segments; and

**WHEREAS**, the requests for the installation of traffic calming devices must be accompanied by a petition signed by at least seventy-five percent (75%) of the affected property owners on each individual street segment; and

**WHEREAS**, the Department of Public Works is amenable to accepting requests for the installation of traffic calming devices that span at least two or more street segments; and

**WHEREAS**, the current Code of Ordinances would require an equal number of petitions for each affected street segment, and the Department of Public Works desires to streamline the petitioning process; and

**WHEREAS**, requests for traffic calming devices that span at least two or more street segments within a neighborhood would benefit from a neighborhood-wide petitioning process, allowing one petition to represent the desires of the entire neighborhood; and

**WHEREAS**, the Department of Public Works wishes to maintain the current ability for residents to request and petition for traffic calming on a single street segment.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA** as follows:

**SECTION 1:** That Section 138-84 of the Code of Ordinances entitled Traffic calming devices – Installation, be amended by deleting it in its entirety and be replacing it with the following:

**Sec. 138-84. Traffic Calming Devices – Installation**

(a) **Definitions:** The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection except when the context requires otherwise:

- (1) *85<sup>th</sup> Percentile* means that speed at which 85% of vehicles are traveling at or below the posted speed limit, and at which 15% of vehicles are traveling above the posted speed limit.
- (2) *Engineering Judgment* means the evaluation by the Department of Public Works of available pertinent information, and the application of appropriate principles, Standards, Guidance, and practices as contained in the ITE Manual and other sources, for the purpose of deciding upon the applicability, design, operation, or installation of a traffic calming device.
- (3) *ITE Guidelines* mean the document titled "Guidelines for the Design and Application of Speed Humps" issued by the Institute of Transportation Engineers' I.T.E. Technical Council Speed Humps Task Force in March, 1993 and subsequent revisions.
- (4) *Neighborhood* means a geographic area either with distinguishing characteristics or in which the residents have a sense of identity and a commonality of perceived interest, or both. Factors that may contribute to neighborhood identity include shared development, history, architecture, social and economic relationships, physical boundaries and the existence of one or more broadly representative neighborhood organizations devoted to neighborhood preservation and improvement.
- (5) *Petition area* means a street segment, a neighborhood, or portion of a neighborhood impacted by the proposed traffic calming device(s) as determined by the engineering judgment of the Department of Public Works. The engineering judgment shall be based on the impact on: properties directly abutting a street or portion of a street where traffic calming is proposed; properties abutting side streets where traffic calming is proposed; and properties abutting streets adversely affected by the traffic calming measure due to increased volume and/or speed.
- (6) *Speed hump* means that geometric roadway design features described and defined in the ITE guidelines, which shall be no less than 22 feet in width.
- (7) *Street segment* means a portion of a local residential street within the city located between any two intersecting streets.
- (8) *Traffic calming device* means a roadway feature implemented to reduce vehicular speed as described in the "Traffic Calming Implementation Guidebook" and "Guidelines for the Design and Application of Speed Humps".
- (9) *Traffic calming guidelines* mean the document titled "Traffic Calming Device Implementation Guidebook," prepared by City of Atlanta, May 1999 and any future revisions.

- (10) *Traffic calming system* means a series of independent traffic calming devices located in a neighborhood or portion of a neighborhood, which may not necessarily be contiguous or interconnected, but that work together as a whole.

(b) **Petition Required:** A neighborhood petition is required for the installation of a traffic calming device. The petition signature gathering shall be the responsibility of the neighborhood impacted by the traffic calming device and is required to identify neighborhood support for the proposed traffic calming measure. The decision and signature made by one property owner for a property having more than one owner of record will be viewed and accepted by the Department of Public Works as the binding decision for all owners of record. Only one signature shall be counted for each multi-family complex including apartments, townhomes and condominiums. Only a representative (property manager and/or association president) may sign the petition as representative of a multi-family complex.

(c) **Petition Submittal:** When presented with petitions in a form satisfactory to the city signed by seventy-five percent of the property owners in the petition area, evidencing their desire to have such traffic calming device, to accept the signage and markings appurtenant thereto, and acknowledging that installing the traffic calming device could slow the response time of the fire department by several seconds per traffic calming device and slow other emergency vehicles as well, the department of public works shall be responsible for the administration of the traffic calming program to include conducting traffic engineering studies to determine whether all of the conditions set forth below are met. As a part of such study, the police and fire departments shall be notified and given the opportunity to comment on the applicability of section 2.11 of the guidelines to the particular street segment. If all conditions are met, the city shall construct and install traffic calming devices on such street segment. The conditions, which must be met, are as follows:

(1) The petition area must consist of a residential street or streets functionally classified as local or collector except that a collector street shall not qualify for speed humps;

(2) The 85th percentile speed of traffic on streets to be affected by the installation of traffic calming devices must be at least ten miles per hour over the posted speed limit;

(3) The property owners in a petition area may apply to the city for funding for all costs of construction and installation; in the alternative, the property owners may elect to engage a private contractor to construct the traffic calming devices in accordance with all requirements of the department of public works and to pay all costs of construction and installation; and

(4) That the petition area meet the criteria contained in part 2.0 of the ITE guidelines for speed humps or the criteria the contained in Traffic Calming Device Implementation Guidebook, except to the extent this article expressly provides for different criteria. Further provided, that if Institute of Transportation Engineers' or the City of Atlanta revokes or suspends the guidelines, then this requirement shall not be

deemed to have been met for any traffic calming device installation not completed by the date of such revocation or suspension.

(c) **Removal Process:** Traffic calming device(s) on a street segment shall be removed if all of the following are met:

(1) Seventy-five percent of property owners in the petition area, via formal petition, request their removal.

(2) Traffic calming devices have been in place no less than one year.

(3) The property owners are made aware that speeds will increase.

(4) The property owners agree to pay all costs associated with such removal, and are assessed same under section 134-27.

**SECTION 2:** That all ordinances in conflict herewith are hereby waived for the purpose of this Ordinance only.